AMENDMENTS TO THE DRAWINGS

The attached drawing sheet includes changes to Figure 1. This sheet, which includes only Figure 1, replaces the original sheet, which included Figure 1. Changes incorporated in this sheet are highlighted on the attached annotated copy.

REMARKS

Claims 1-32 and 34-41 remain in this application. Claim 33 has been cancelled and the limitations of claim 33 were added to claim 32. No new subject matter is believed to have been added by this Amendment.

In Section No. 1 of the Office Action, the Examiner objects to the drawings indicating that reference number 15 discussed on page 4, line 11 of the Specification is not shown in the drawings. Figure 1 has been modified to include reference number 15 and drawings incorporating this reference number are attached herewith.

In Section No. 2 of the Office Action, the Examiner objects to the disclosure and specifically indicates that the term "10C" on page 6, line 16 should be "100" and that reference number "197" on page 9, line 6 should be "198". The Specification has been amended to incorporate these changes. Furthermore, for clarification, in the first line of paragraph 33 "Figure 4" has been changed to "Figure 6" to properly reflect the reference numbers discussed within that paragraph.

In Section No. 4 of the Office Action, the Examiner rejects claims 1-8 and 38 under 35 U.S.C. § 103 (a) as being obvious from the teaching of United States Patent No. 6,721,960 to Levesque, et al., (hereinafter the "Levesque patent").

The Levesque patent is directed to a batting glove with internal padding placed in only certain locations to obtain tactile sensation in certain areas while providing padding in other areas. As stated in column 2, lines 6-10 of that patent, vibrations are typically dampened by the first, second and fifth digital areas and, in order to protect the hand from impact forces and vibrations, padding is placed in at least these areas.

Since the first digit is the thumb and the fifth digit is the small finger, then the batting glove in accordance with the Levesque patent has padding which extends from the index finger across the hand to the little finger with, as stated in column 2, lines 11 and 12, no padding on the third and fourth digital areas.

Furthermore, as discussed in column 2, lines 23-30 of the Levesque patent, prior art batting gloves often utilized padding configurations wherein one side of the gloves palmar surface has substantially more padding than the other side. Such configurations lead to an unbalanced feeling when gripping the bat and for that reason the Levesque patent stresses the importance of placing padding on the second and fifth digits, i.e. across the width of the hand, to provide the batter with a more balanced grip and feel.

The Applicant's invention on the other hand as stated in independent claim 1, subparagraph d), is directed to a sports glove including a vibration dissipating front pad in the palm portion extending only over and between the proximal knuckles of the thumb, index finger and middle finger and along adjacent portions of the metacarpal bones and proximal phalanges of each of these thumb and fingers respectively, leaving the remainder of the palm portion unpadded.

The Examiner points out that in column 3, lines 45-47 of the Levesque patent it is stated that "the areas covered by the pads may cover less than the area disclosed above or extend to other portions of the hand". Although this may provide for a broader interpretation to the teaching of the Levesque patent, clearly as stated in column 2, lines 9 and 10 of the Levesque patent, padding must be placed in at least the first, second and fifth digital areas. This provides protection in what the patentee of the Levesque patent believed to be important areas of the hand. Furthermore, this provides symmetry to avoid the unbalanced feeling when gripping the bat as discussed in column 2, lines 23-28.

As a result, the Levesque patent neither teaches nor suggests the Applicants invention as found in claims 1 and 30. The Levesque patent makes clear the need for not only padding in the fifth digital area (i.e. the little finger area) but also an arrangement of pads which are symmetric about the hand to avoid an unbalanced feeling when gripping the bat. The Applicant's invention as found in claims 1 and 38 has neither of these features. For these reasons the Applicant does not believe that independent claims 1 and 38 are either made obvious or anticipated by the teaching of the Levesque patent and are believed to be patentably distinct over the teaching of the Levesque patent. By way of their dependence upon what is believed to be

patentably distinct independent claim 1, dependent claims 2-8 are themselves believed to be patentably distinct over the teaching of the Levesque patent.

In Section No. 5 of the Office Action, the Examiner rejects claims 9 and 39-41 under 35 U.S.C. § 103(a) as being obvious from the teaching of the Levesque patent in view of the teaching of United States Patent 6,701,529 to Rhoades, et al. (the "Rhoades patent"). By way of their dependence upon what are believed to be patentably distinct independent claims 1 and 38, claims 9 and 39-41 are themselves believed to be patentably distinct over the teaching of these patents and of the other prior art of record.

In Section No. 6 the Examiner rejects claim 10 under 35 U.S.C. § 103(a) as being obvious from the teaching of the Levesque patent in view of the teaching of United States Patent No. 6,052,827 to Widdemer (the "Widdemer Patent"). By way of its dependence upon what is believed to be patentably distinct independent claim 1, claim 10 itself is believed to be patentably distinct over the teaching of these patents and of the other prior art of record.

In Section No. 7 of the Office Action, the Examiner rejects claims 11, 12 14, 27-29, 32, 33, 36 and 37 under 35 U.S.C. § 103 (a) as being obvious from the teaching of the Levesque patent in view of the teaching of United States Patent No. 5, 898,938 to Baylor, et al, (the "Baylor patent"). Although the Baylor patent disclosed a hand protecting device comprised of a pad on the back of a glove, the Applicant hereby submits that there is neither a teaching nor a suggestion to apply the back padding disclosed in the Baylor patent to the back of the batting glove disclosed in the Levesque patent. In particular, the design of the Levesque patent is intended as stated in column 2, lines 19-23, to protect areas of the hand that experience the majority of forces and vibrations associated with batting while retaining tactual sensation in areas important to bat control. The introduction to the batting glove disclosed in Levesque of a back padding disclosed in Baylor would stiffen the glove sufficiently and provide less tactual sensation. For these reasons the Applicants do not believe that it is proper to combine the teaching of the Baylor patent with that of the Levesque patent to arrive at the subject invention as found in these claims. Furthermore, claims 11, 12, 14 and 27-29 by way of their dependence upon what is believed to be patentably distinct claim 1, are themselves believed to be patentably distinct over the teaching of these patents and of the other prior art of record.

Claim 32 has been amended to include the limitation of claim 33 such that the glove in accordance with claim 32 includes back padding and a vibration dissipating front pad extending only partially across the palm of the user. Once again the Levesque patent does teach or suggest a front pad extending only partially across the palm, and neither the Levesque patent or the Baylor patent suggest a glove having both a back pad and a front pad. For these reasons, the Applicant believes that claim 32 as amended to include the limitation of claim 33 is patentably distinct over the teaching of these patents and of the other prior art of record.

By way of their dependence upon what is believed to be patentably distinct independent claim 32, dependent claims 36 and 37 are themselves believed to be patentably distinct over the teaching of these patents and of the other prior art of record.

In Section No. 8, the Examiner rejects claims 13, 24-26 and 30 under 35 USC § 103 (a) as being obvious from the teaching of the Levesque patent in view of the teaching of the Baylor patent and further in view of the teaching of the Rhoades patent. By way of their dependence upon what is believed to be patentably distinct claim 1, these dependent claims are themselves believed to be patentably distinct over the teaching of these patents and of the other prior art of record.

In Section No. 9, the Examiner rejects claims 15-20, 22, 23, 34 and 35 under 35 USC § 103 (a) as being obvious from the teaching of the Levesque patent in view of the teaching of the Baylor patent and further in view of the teaching of United States Patent No. 5,067,175 to Gold (the Gold patent). By way of their dependence upon what are believed to be patentably distinct independent claims 1 and 32, these dependent claims themselves are believed to be patentably distinct over the teaching of these patents and of the other prior art of record.

In Section No. 10, the Examiner rejects claims 21 under 35 USC § 103 (a) as being obvious from the teaching of the Levesque patent in view of the teaching of the Baylor patent and the Gold patent and further in view of United States Patent No. 6,425,134 to Huang (the Huang patent). The Applicant believes that the combination of four separate references to arrive at a conclusion that claim 21 is obvious is in itself non-obvious. In particular it is

unreasonable to believe that it would be obvious to one skilled in the art to combine the teaching of four separate documents. Nevertheless, by way of its dependence upon what is believed to be patentably distinct independent claim 1, dependent claim 21 is itself believed to be patentably distinct over the teaching of these patents and of the other prior art of record.

In Section No. 11, the Examiner rejects claim 31 under 35 USC § 103 (a) as being obvious from the teaching of the Levesque patent in view of the teaching of the Baylor patent and further in view of the teaching of United States Patent No. 6,775,847 to Terris et al. (the Terris patent). By way of its dependence upon what is believed to be patentably distinct claim 1, claim 31 is itself believed to be patentably distinct over the teaching of these patents and of the other prior art of record.

Reconsideration and allowance of pending claims 1-32 and 34-41 are respectfully requested.

Very truly yours,

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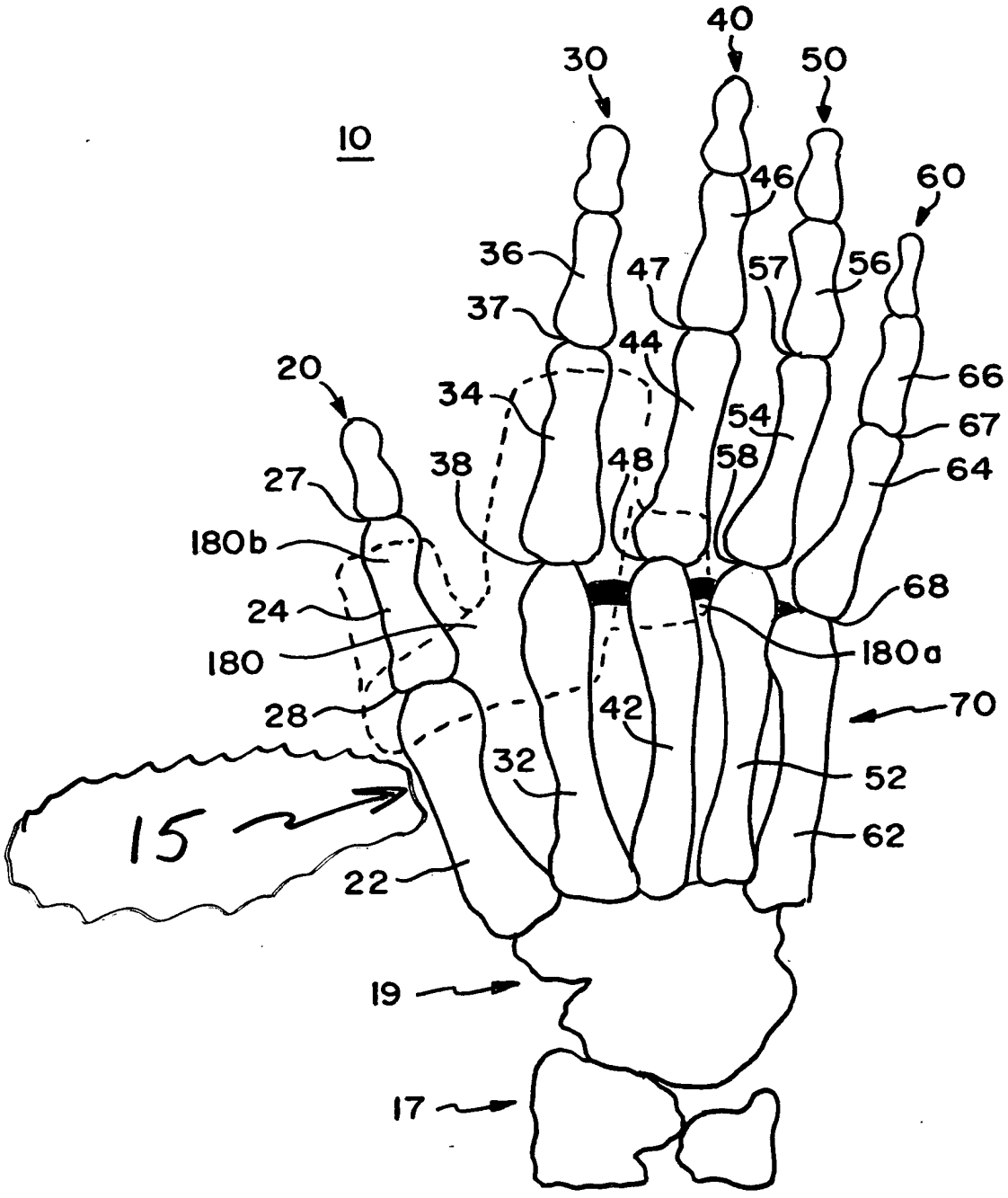

FIG. 1